

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE :
COMMISSION, :
Plaintiff, :
-v- :
PLATINUM MANAGEMENT (NY) LLC; : No. 16-cv-6848 (BMC)
PLATINUM CREDIT MANAGEMENT, L.P.; :
MARK NORDLICHT; :
DAVID LEVY; :
DANIEL SMALL; :
URI LANDESMAN; :
JOSEPH MANN; :
JOSEPH SANFILIPPO; and :
JEFFREY SHULSE, :
Defendants. :
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**NOTICE OF SETTLEMENT OF THE OBJECTIONS MADE TO THE MOTION FOR
ENTRY OF AN ORDER (I) (A) AUTHORIZING THE RECEIVER TO SELL THE
RECEIVERSHIP'S RIGHTS IN AND TO LC ENERGY OPERATIONS LLC FREE AND
CLEAR OF ALL LIENS, CLAIMS, ENCUMBRANCES AND OTHER INTERESTS;
(B) APPROVING PROCEDURES FOR THE FILING OF CLAIMS AGAINST LC
ENERGY AND/ OR ITS ASSETS AND THE RESOLUTION THEREOF AND (C)
GRANTING CERTAIN RELATED RELIEF AND (II) APPROVING THE SALE
OF LC ENERGY FREE AND CLEAR OF ALL LIENS, CLAIMS,
ENCUMBRANCES AND OTHER INTERESTS**

WHEREAS, on December 6, 2018, Melanie L. Cyganowski, the duly appointed Receiver (the “*Receiver*”) of Platinum Credit Management, L.P., Platinum Partners Credit Opportunities Master Fund LP, Platinum Partners Credit Opportunities Fund (TE) LLC, Platinum Partners Credit Opportunities Fund LLC, Platinum Partners Credit Opportunities Fund (BL) LLC, Platinum Liquid Opportunity Management (NY) LLC, Platinum Partners Liquid Opportunity Fund (USA) L.P., Platinum Partners Liquid Opportunity Master Fund L.P., Platinum Partners Credit Opportunities Fund International Ltd and Platinum Partners Credit Opportunities Fund International (A) Ltd, filed a (1) motion for entry of an order (I) (a) authorizing the Receiver to

sell (the “***Sale***”) the Receivership’s rights in and to LC Energy Operations LLC and/ or its assets (“***LC Energy***”) free and clear of all liens, claims, encumbrances and other interests (collectively, “***Encumbrances***”); (b) authorizing the Receiver to enter into a stalking horse agreement and approving certain bid protections in connection therewith; (c) approving the form and manner of notice of the Sale; (d) approving certain procedures for the filing of claims against LC Energy and the resolution thereof and (e) approving bid procedures for the sale of LC Energy upon the selection of a stalking horse and (II) approving the sale of LC Energy free and clear of all Encumbrances (the “***Motion***”), (2) Memorandum of Law in Support of the Motion and (3) Declaration of Melanie L. Cyganowski in Support of the Motion. Docket No. 422;

WHEREAS, on December 21, 2018, the Receiver filed the following responses to the Motion (collectively, the “***Responses***” and the entities filing the Responses, the “***Responders***”):

- Limited Objection of Lily Group, Inc. to the Motion;
- Response in Opposition to the Motion filed by James W. Stuckert, Diane V. Stuckert and Solomon O. Howell; and
- Response in Opposition by the Committee of Unsecured Creditors in the Bankruptcy Case of Lily Group, Inc. to the Motion. Docket No. 433.

WHEREAS, on December 27, 2018, the Receiver filed a Reply Brief in Further Support of the Motion. Docket No. 436;

WHEREAS, on January 4, 2019, the Receiver filed the Declaration of Trey Rogers in Support of the Motion. Docket No. 441;

WHEREAS, the Receiver and each of the Responders have since resolved the objections made by the Responders to the Motion by modifying the proposed order granting the Motion;

WHEREAS, attached hereto as **Exhibit A** is a revised form of proposed order granting

the Motion (the “**Procedures Order**”) and attached hereto as **Exhibit B** is a redline showing the changes made to the order attached to the Motion;

WHEREAS, no other objections have been made to the Motion and entry of the Procedures Order is now unopposed;

NOW THEREFORE, based upon the forgoing, the Receiver respectfully requests entry of the Procedures Order at this Court’s earliest convenience.

Dated: January 14, 2019

OTTERBOURG P.C.

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Receiver*